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## CITY OF GREENVILLE

POLICY NO: HR-31

DATE: May 15, 2009

SUBJECT: Public Records

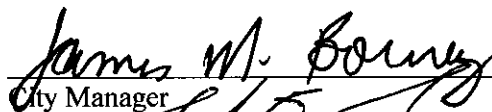
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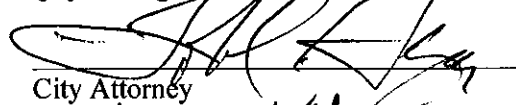
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APPROVALS:

  
City Manager

  
City Attorney

  
Human Resources Director

## I. **Purpose**

To establish effective guidelines for the retention and destruction as well as storage, retrieval, and return of public records generated and owned by City of Greenville departments.

## II. **Scope**

This policy applies to all City of Greenville departments which store department files within the Records Center and City departments which maintain records which are within the scope of the Freedom of Information Act.

## III. **Definitions**

- **Archival Records:** Records which must be maintained by the City of Greenville for more than three years, as approved Federal law, State statutes and associated regulations.
- **Department of Archives and History (DAH):** The State of South Carolina agency empowered to establish, recommend and/or approve the schedules for retention of public records retained by political subdivisions, such as municipalities.
- **Summary Court Retention Schedules:** Records retention standards which are applicable to Municipal Courts.
- **Freedom of Information Act:** Chapter 4, Title 30 of the S.C. Code of Laws, as periodically amended, and procedures by which the State of South Carolina and political subdivisions must respond to requests for public records.
- **General Retention Schedules:** Minimum records retention standards recommended or mandated by the State DAH for public records.
- **Owning Department:** The City department which generates the public record.
- **Public Records:** With some limited exceptions, public records include all books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials regardless of physical form or characteristics prepared, owned, used, in the possession of, or retained by a public body.
- **Public Records Act:** State legislation (Title 30 of the S.C. Code of Laws, as periodically amended) which governs the actions of the City with respect to management of public records.
- **Records Center:** The storage center for public records established by the City.
- **Records Coordinator:** The agency or person designated by the City Manager to assist City departments with public records and serve as custodian of public records. Duties of the Records Coordinator include: assisting departments with establishing retention schedules, maintaining records in appropriate environmental conditions, destroying records according to established

retention schedules, retrieving records from the Records Center and returning the records to the Records Center.

- **Specific Retention Schedules:** Schedules created for records that either apply solely to a specific agency or where no general schedules exist or apply. Specific Retention Schedules must be requested by the Owning Department, through the Records Coordinator. Specific Retention Schedules must be approved by the S.C. DAH.
- **Storage Media:** Materials and technology used to store public records. Acceptable media can include paper, microfilm and optical disks.

#### IV. **Policy**

It is the policy of the City of Greenville to store public records in a legally-compliant manner which provides for adequate support to City departments and efficient management of official records.

#### V. **Procedures**

##### A. **Responsibility**

The Owning Department retains responsibility for effective management of the public records it generates. The Records Coordinator will assist and advise Owning Departments.

##### B. **Records Center**

The Records Coordinator will plan and maintain appropriate storage for archival records and will control access to the Records Center. The Records Center will generally accept records having a General Retention Schedule of more than three years. Records having a retention schedule of three years or less should be stored in City department offices. Exceptions may be granted by the Records Coordinator, assuming space is available in the Records Center.

##### C. **Retention Schedules**

The Records Coordinator, in conjunction with the owning department liaison, establishes retention schedules for all public records, subject to such approval, as state law requires from SCDAH. Final review and written approval is required by the City Manager and owning department head. Once adopted & approved, the retention schedule will be maintained by the Records Coordinator and made available to the Owning Departments. Records generated by the Municipal Court are also governed by the Summary Court Retention Schedules.

Retention Schedules are minimum standards, meaning that the records covered by the schedules must be kept at least as long as the schedules dictate. The General Schedules shall serve as the “default” Retention Schedules for non-judicial City departments. Departments may retain records for longer periods by setting specific Retention Schedules for specific types of records.

**D. Preparation of Records for Storage**

To ease retrieval of public records, the Records Coordinator will establish and, from time to time, modify guidelines for the Owning Department to use in preparing records for storage in the Records Center. Records which do not comply with the guidelines will not be accepted into the Records Center.

**E. Storage Media**

The media used for storage of archival records depends on the use and Retention Schedules of the records, as well as the regulations and policies adopted by the SC DAH. Generally, the following guidelines will be used to select the media used for records storage.

- Paper will generally be used as the storage media for all records having Retention Schedules of three years or less.
- Microfilm will be used as the sole storage media for all records having Retention Schedules of over ten years.
- The media used for records having Retention Schedules of 3 to 10 years will be decided on a case-by-case basis, in consultation with the Owning Department. The frequency and speed of retrievals as well as cost for converting records to a new media will be considered in making decisions.
- Paper, microfilm and optical imaging are all acceptable media for records having Retention Schedules of 3 to 10 years.

**F. Records Retrieval, Return and Review**

The Records Coordinator will establish and, from time-to-time, modify standards for retrieval and return of public records stored in the Records Center.

- The Records Coordinator will only release records to the Owning Department, City Manager or City Attorney's Office. Any records released by the Records Coordinator must be returned to the Records Center in the same condition as they were when they were released from the Records Center.
- Owning Departments may sometimes need to research or review records stored in the Records Center. To ensure security and confidentiality of records stored in the Records Center, the Records Coordinator or his/her designee must accompany department representatives in the Records Center.

**G. Freedom of Information Act**

The City will assist members of the public with obtaining information covered by the S.C. Freedom of Information Act.

- Public records will be made available for review by requesting persons, in City offices, in accord with the provisions of the FOIA.
- The Owing Department or Records Center, using a FOIA Records Request form (Exhibit A), will provide copies of readily-available public records, including copies of records stored on paper, copies of records stored on microfiche and microfilm, audio/visual cassettes, and standard maps/plots. Upon request and when feasible, these records may also be provided on CD-ROM disks. Standard charges will apply for search, retrieval and copying of public records.
- When fulfilling public records requests appears to require extensive time for search, retrieval and copying, the Owing Department or Records Center will estimate the cost for search, retrieval and copying, using projected personnel time and materials costs, and will inform the person making the request before the records request is fulfilled. The city will respond to the requesting party by identifying the estimated time and cost of retrieval and securing payment for that amount prior to retrieval. If retrieval time exceeds the estimate the city shall be entitled to secure the additional cost prior to making the records available for inspection and copying. If retrieval time is less than estimate then the requesting party shall receive a refund or credit.
- Records requests/subpoenas received from attorneys, under the Freedom of Information Act, must be referred to the City Attorney's Office. Owing Departments are encouraged to inform the City Attorney's Office of requests related to pending or anticipated claims.
- Owing Departments who receive FOIA requests from citizens must first route the request to the City Manager's assistant who will then notify the Records Center.

**H. Other Record Requests**

Custom maps, reports of special data sets and other reports which require programming time by City departments such as GIS, Engineering or MIS will be priced by the department, using actual costs for time and materials used.

## **I. Records Destruction**

At the end of each fiscal year, the Records Coordinator will review records held in the Records Center against established Retention Schedules. For those records where dates exceed the established Retention Schedules, the Records Coordinator will issue a Request to Destroy notice to the Owning Department. At that time, should the Owning Department desire longer retention, the retention schedule may be reevaluated and a Specific Schedule requested, according to the procedures covered above.

- Upon receiving a signature from the head of the Owning Department on the Request to Destroy notice, the Records Coordinator will accomplish destruction of the records using methods designed to assure maximum security.
- Departments planning to purge files or otherwise destroy what could be deemed as public records must review records destruction plans with the Records Coordinator and, if appropriate, arrange for shredding of the records.



# FOIA Records Request

PLEASE PRINT

Name \_\_\_\_\_ Date Requested \_\_\_\_\_  
 Address \_\_\_\_\_ Daytime Phone \_\_\_\_\_  
 City/State/Zip \_\_\_\_\_ Cellular Phone \_\_\_\_\_  
 Agency, Firm or Organization \_\_\_\_\_  
 Address (if different) \_\_\_\_\_ Daytime Phone \_\_\_\_\_  
 City/State/Zip \_\_\_\_\_ Cellular Phone \_\_\_\_\_

If attorney or agent, please identify client \_\_\_\_\_

Information Requested (attach additional description, if required) \_\_\_\_\_

Requested delivery: Mail \_\_\_\_\_ Pick Up \_\_\_\_\_

Signature of person making request \_\_\_\_\_

## Office Use Only

Receiving Department/Employee \_\_\_\_\_ Date Request Received \_\_\_\_\_

FOIA Response Due \_\_\_\_\_ (15 working days from date of receipt)

Information reviewed by: \_\_\_\_\_

Date Information mailed or picked up: \_\_\_\_\_

	Minutes/Hours	x Rate	Cost
<b>Search/Retrieval Time</b>		\$20/hour	
<b>Postage/Shipping</b>	<b>FedEx/ UPS / USPS</b>		
<b>Copies</b>	<b>Number or Page</b>	<b>Unit Price</b>	
Paper records/standard reports		\$0.25/page	
Microfiche/microfilm copies		\$0.25/page	
Audio/video cassette copies		\$10.00/each	
CD-ROM records/standard reports		\$10.00/each	
Standard maps/plots up to 11" x 17"		\$.50/each	
Standard maps/plots larger than 11"x 17"		\$5.00/each	
<b>TOTAL COST</b>			

Date Paid \_\_\_\_\_ Cash or Check Number \_\_\_\_\_ Received by \_\_\_\_\_